Scott. II-29- 27,004—25-11-26.

Development (192 6) Department.

Mis SERIES.

G.O. No. 1204

DATED 19—8— 26

[Despatch Abstract.]

Lagislative Council Question

Penalties for thefts from Kumaki lands

Starred Question. Council Office.

18-1-26.

Mr. J.A. Saldanha.

TH: DEVELOPMENT DEPARTMENT.
THE PUBLIC DEPARTMENT.

1915. With reference to the answer to question No. 154 clause 7 given on 6th February 1924 will the hon. the Home Member and the hon. the Law Member be pleased to state --

(a) the total amount of penalty levied in advance South Kanara from wargadars for thefts after cutting of sandalwood trees from kumki lands in 1923-24 and 1924-25;

(b) whether it is a fact that when a sandalwood tree is found cut from a kumki land the wargadar to whose adjoining occupancy land it is attached, is charged for the cutting of the tree without proving that he has been responsible for the offence and without even allowing the accused wargadar to disprove the charge;

(c) if so whether this burden is thrown on the wargadar under any rule laid down by Government and if so, which;

(d) whether Government have issued orders or propose to issue orders for change of procedure?

KR.

Remarks Old Coal forfeiture

2

Dy dept

D.O. No. 414-I/24-8.15-2-26.

D.O. 16/2

C.O. 16/2

The C.C. is furnished with a copy of L.C. Question No 1915 and he is requested to furnish information as regards Clause (a) of the question

p.c. 1 cy.

16-2-26.

15.2.26.

DESPATCHED
C.O.
17.2.26

To

The C.C.

Dem: Dept

OM No 414-I/26-2 dt. 8-3-26.

Ref: OM No 414-I/26-1 dt 15-2-26
L.C. Question No 1915 - Penalty levied on S. Kanara & Sandalwood thefts.

The C.C. is requested to state when a reply may be expected to the above reference.

3-3-26.
3.3.26

To
The CCF.

5

Dem: Dept.

OM no 417-I/26-2 dt. 13-3-26.

Ref: OM no 417-I/26-1 dt 15-2-26.
L.C.2. no 1915 - Venkata Ramiah
Sandalwood theft - S. Kanara.

The C.C. is furnished with a copy of reference from the Board of Revenue No B/5229/26-1 dt 20-2-26 and he is requested to state the authority under which fines in question were levied from the Kumaraswamy

12-3-26.

12.3.26.

12.3.26

Dlz 13/3
Dept Clerk for above
Dlz 13/3
Dlz 13/3
1 to 2 Cys.

Pp 1-2980 538 14.3.26 (M)
Pp 1-2 Cys
Linked file
Advance

DESTITCHED
13 MAR 1926
Pno

To
Mcc 2.

6

Dy Supdt

Dy 26/3. OM No. 417-I/26-3 dy 26-3-26

29/3

2 cy.
5 Cy.

Ref: OM No 417-I/26-19 15-2-26 and
OM No. 417-I/26-2 dy 13-3-26. L.C.
2. No 1915 – Penalty & Limit –
Sandalwood Thak – S. Kanara.

The C.C. is requested to
state whether a reply may be expected
to the above references.

Yes.
25-3-26.
25.3.26

31/3/26

DESPATCHED
29 MAR 1926
O/C

To
The CC.

L.Dis.1410/26. 7

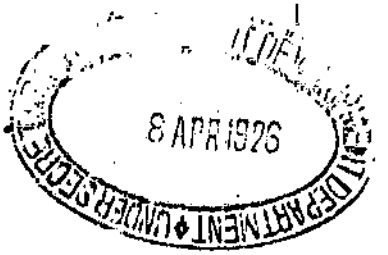
Chief Conservator's Office,
Chepauk, Madras 30th March '26.

Dr 1112 I/26

From

H.Tireman Esquire, C.I.E.,

Chief Conservator of Forests, Madras.



To

The Secretary to Government,

Development Department, Fort St. George, Madras.

Sir,

Subject:- Legislative Council Question - Sandalwood thefts-Kumaki lands - levy of penalty.
Refce:- Government Memorandum No-417-I/26-1 dated 15-2-26

The total amount of penalty levied in South Kanara from wargdars for thefts of sandalwood trees from Kumaki lands during 1923-24 and 1924-25 is Rs.982/- and Rs.1207-8-0 respectively.

Khaman Nayar

for Chief Conservator.

RRR
21.3.26

M.R.31-3
PE 31.3.26

L.Dis.1410/26. 8 Chief Conservator's Office,

Chepauk, Madras 30th March 1926.

Dev III T 8-4-26

From

H.Tireman Esquire, C.I.E.,

Chief Conservator of Forests, Madras.

To

The Secretary to Government,

Development Department, Fort St. George, Madras.

Sir,

P.S. Lyra.

Refce:- Government Memorandum No.417-1/26-1 dated 13-3-1926.

There is no authority for the levy of fines in question from the Kumakidars.

Khanavapa

for Chief Conservator.

K.R.31-3.

RRR
31.3.26.

9

L.C.Q. No. 1915 (Starred)

Mr. J.A.Saldanha.

Development Department.

Draft Answer.

With reference to the answe.. .. question No.154 clause 7 given on 6th Febry. 1924 will the Hon: the Home Member and the Hon: the Law Member be pleased to state:-

(a) the total amount of penalty levied in S.Kanara from wargadhars for thefts as for instance cutting of sandalwood trees from kumaki lands in 1923-24 and 1924-25;

(a) The total amount of penalty levied in South Kanara from wargdars for thefts of sandalwood trees from kumaki lands during 1923-24 and 1924-2 is Rs.982/- and Rs.1207-8-0 respective

(b) whether it is a fact that when a sandalwood tree is found cut from a kumaki land the wargdar to whose adjoining occupancy land it is attached, is charged for the cutting of the tree without proving that he has been responsible for the offences and without even allowing the accused wargdar to disprove the charge.

(c) if so whether this burden is thrown on the wargdar under any rule laid down by Govt. and if so, which;

(b) and (c). The Hon: Member is referred to the answer to clause (c) of L.C.Q. No.1918.

(d) whether Govt. have issued orders or propose to issue orders for change of procedure?

(d) The Govt. considered it inadvisable to continue the policy of encouraging the growth of sandalwood trees on kumaki lands and have directed that in June 1925

sandalwood trees should be uprooted as soon as possible and sold in public auction.

28/4/26

27.4.26

28.4.26

1932
10-7-26.

10

Starred Question No.1915.

Mr.J.A.Saldanha.

With reference to the answer to question No.154 clause 7 given on 6th ~~an~~ February 1924 will the Honourable the Home Member and the Honourable the Law Member be pleased to state:-

(a) the total amount of penalty levied in South Kanara from wargdhars for thefts as for instance cutting of sandalwood trees from kumaki lands in 1923-24 and 1924-25;

(b) whether it is a fact that when a sandalwood tree is found cut from a kumaki land the wargdhar to whose adjoining occupancy land it is attached, is charged for the cutting of the tree without ~~vi~~proving ~~ding~~ that he has been responsible for the offences and without even allowing the accused wargdhar to disprove the charge;

(c) if so whether this burden is thrown ~~on~~ the wargdhar under any rule laid down by Government and if so, which;

(d) whether Government have issued orders or propose to issue orders for change of procedure?

****

DEVELOPMENT DEPARTMENT

A n s w e r.

(a) The total amount of penalty levied in South Kanara from wargdhars for thefts of sandalwood trees from kumaki lands during 1923-24 and 1924-25 is Rs.982/- and Rs.1,207-8-0 respectively.

(b) and (c) The Honourable Member is referred to the answer to clause (c) of Legislative Council Question No.1918.

(d) The Government considered it inadvisable to continue the policy of encouraging the growth of sandalwood trees on kumaki lands and have directed in June 1925 that sandalwood trees should be uprooted as soon as possible and sold in public auction.

Dated, Fort St.George,
the 17th May 1926.

V.Pandrang Row,
Secretary to Government.

To the Legislative Council Office.

Forwarded.
(By Order)

Superintendent.
12.5

(The above answer has been approved by the Hon'ble Khan Bahadur Muhammad Usman Sahib Bahadur.)

Law Dept. III-8—4.000—1-12-24.

QUESTION.—No. 1915

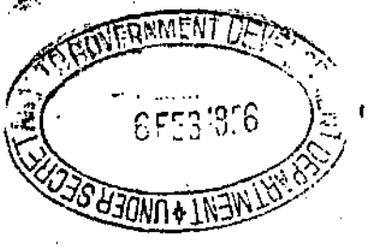
for the next meeting of the Legislative Council to be held on the ~~102~~

4/7-I
6-2-26.

SUBMITTED that two copies of this Question may be forwarded to the Development Department.

The Question has been admitted.

A.S. 5.2.26.



U.O. No. , *dated*

To

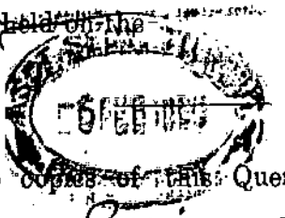
The Development Department.

NTO

2

Law Dept. III-8—4,000—1-12-24.

QUESTION.—No. 1915 for the next meeting of the Legislative Council to be ~~held on the~~ A ~~192~~



CURRENT NO.
0723
PUBLIC

SUBMITTED that two copies of this Question may be forwarded to the Public Department.

D 1436 T

The Question has been admitted.

B.B. 5.2.26

9—2—26.

Le
U.O. No. 321-5 dated 6. 2. 26

To

The Public Department.

U.S.

May be transferred to the Dev. Dept.

9/2/26.

Dev.

6.2.26.

321
8/4/26

P.T.O.

Dw: Dep

To Under Secy

Please see U.C. Question in the C.C.
It is a starred question

Clause (a)

There is no information in this office
The information may be called for from the
C.C.

Clauses (b) & (c)

p. 38 of the Manual — Under Rule 7-A (3) of the general rules framed under Section 26 of the Forest Act the Kumaki dar is not allowed to cut any reserved tree except mango and tamarind from the Kumaki land under his charge. It has also been laid down in Rule 7-A (5) that pp 38-39 of the Manual on the occurrence of abuse or violation of the rules the Collector may by an order in writing suspend or withdraw all or any of the privileges of Kumaki from individuals or from whole villages. Sandalwood is a reserved tree and as such if it is cut or removed without proper authority, the ~~Kumaki~~ Kumaki dar is made responsible for the loss and either the value of the tree is recovered from him or his kumaki privileges are suspended or withdrawn — vide penalty levied by the Collector in respect of Sandalwood stolen from Kumaki lands at page 8 of Forests 535 Dw: & 26-3-24

(K)

Clause (a).

At the instance of Mr. Mahakala Hegde, vide [illegible] (C)
the question of Sandalwood theft from Kumaki
lands was examined at some length and it
was then found that the ryots have a legi-
timate grievance in that they are frequently
held responsible for thefts which it is
impossible for them to prevent — vide A in
Mr. Royce's note at page 58 of G.O. mis 891 Dev. (C)
of 18-6-25. The question was examined
further and it was decided that all sandal-
wood trees on Kumaki lands should be
uprooted as soon as possible and sold in
public auction — vide G.O. mis 891 Dev. of (C)
18-6-25. If all the trees are uprooted,
the Kumaki lands will have no further
grievance in the matter. The Mitl Mag.
perhaps be informed of the orders con-
tained in the above G.O.

Draft ord & C.L. in regard to Clause (a) is submitted. ⊗ Sent for issue 15/2

Mr.
15-2-26 15.2.26.

Mr.
15.2.26.

5 4

p 4 of Rev 813 - I from the C.C. No 1410/26 dt 8-3-26

To Under Secy -

Please see para 3 of Board's letter at pages 1-2 c.f.y. in the file above. The Collector had no power to Compound fourth offences and the levy of fines specified in the list furnished by the C.C. at page 8 on Proc's 535 Rev of 26-3-26 would seem to be irregular. As Clause (a) of the present question deals with the levy of fines, the C.C. may also be requested to report the authority under which these fines were levied. Draft reply is submitted

(K)

12-3-26

12.3.26

12.3.26

To W.S

Please see C.C.'s replies at pages 7 and 8. A draft answer is submitted

28/4/26

28/4/20.

27.4.26

S.

28.4.26

C3

29/4/26

29/4/26

Scott. II-5 (b)—25,000—25-11-25. (6)

L.C.Q. Dues DEPARTMENT.

Penalties for thefts from Kumki lands.

	Date.	Initials.
When received for Fair-copying.		
When copied		
When examined		
When signed		
When despatched		

Penalties for thefts from kumki lands.

1932. Q.—Mr. J. A. SALDANHA: With reference to the answer to question No. 154, clause (7) given on 6th February 1924, will the hon. the Home Member be pleased to state—

(*a*) the total amount of penalty levied in South Kanara from wargdars for thefts as for instance cutting of sandalwood trees from kumki lands in 1923-24 and 1924-25;

READ AGAIN G.O 192

(*b*) whether it is a fact that when a sandalwood tree is found cut from a kumki land the wargdar to whose adjoining occupancy land it is attached, is charged for the cutting of the tree without proving that he has been responsible for the offences and without even allowing the accused wargdar to disprove the charge;

" " " 192

READ ALSO:— (*c*) if so, whether this burden is thrown on wargdar under any rule laid down by Government and if so, which; and

(*d*) whether Government have issued orders or propose to issue orders for change of procedure?

C. No. ..... ted 192

A.—(*a*) The total amount of penalty levied in South Kanara from wargdars for thefts of sandalwood trees from kumki lands during 1923-24 and 1924-25 is Rs. 982 and Rs. 1,207-8-0 respectively.

" " ..... , ... 192

(*b*) & (*c*) The hon. Member is referred to the answer to clause (*c*) of Legislative Council Question No. 1918.

(*d*) The Government considered it inadvisable to continue the policy of encouraging the growth of sandalwood trees on kumki lands and have directed in June 1925 that sandalwood trees should be uprooted as soon as possible and sold in public auction.

" " ..... , ... 192

ORDER. No. 1204, dated 19-8-1926.

Mrs. Munshi Thanks please 18/8

Recorded.

17-8-26. 18/8